

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JANET L. FERNANDEZ,

Plaintiff,

vs.

No. 1:21-cv-00067-KWR-KRS

**KILOLO KIJAKAZI,
Acting Commissioner of
Social Security,**

Defendant.

ORDER GRANTING DEFENDANT'S UNOPPOSED MOTION TO REMAND

Defendant, the Acting Commissioner of Social Security (Commissioner), by and through the undersigned counsel, has filed an unopposed motion with this Court, pursuant to 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the case to the Commissioner for further administrative proceedings (ECF No. 21).

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of the Commissioner's request for remand of this action for further proceedings, this Court hereby **REVERSES** the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a **REMAND** to the Commissioner for further administrative proceedings.¹ *See Shalala v. Schaefer*, 509 U.S. 292, 296-302 (1993).

¹ The clerk of the Court will enter a separate judgment pursuant to the Federal Rules of Civil Procedure, Rule 58.

IT IS SO ORDERED.

SIGNED: NOVEMBER 16, 2021.



Kea W. Riggs
UNITED STATES DISTRICT JUDGE

Electronically submitted 11/16/21

ALEXESS REA SMITH
Special Assistant United States Attorney

Electronically approved 11/16/21

JUSTIN S. RAINES
Attorney for Plaintiff